

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Natalie Garritano**  
Debtor(s)

Bankruptcy Case No.: 17-23282-CMB  
Issued Per Oct. 23, 2017 Proceeding  
Chapter: 13  
Docket No.: 31 - 20  
Concil. Conf.: March 15, 2018 at 01:30 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated September 18, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Mar. 15, 2018 at 01:30 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☒ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☐ H. Additional Terms:

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.


**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: October 31, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Natalie Garritano  
 Debtor

Case No. 17-23282-CMB  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: jhel  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 32

Date Rcvd: Oct 31, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 02, 2017.

db  
 14676409 +Natalie Garritano, 717 Penn Street, Brackenridge, PA 15014-1148  
 14676410 +Aes/educn Sr, Pob 61047, Harrisburg, PA 17106-1047  
 14695101 +Allegheny Co Fam Div, 414 Grant St, Pittsburgh, PA 15219-2409  
 14676411 +Allegheny County Clerk of Courts, 115 County Courthouse, 436 Grant Street,  
 Pittsburgh, PA 15219-2400  
 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285  
 (address filed with court: Capital One, 15000 Capital One Dr, Richmond, VA 23238)  
 14676412 +Cbna, Po Box 6497, Sioux Falls, SD 57117-6497  
 14676413 +Chase Card, P.O. Box 15298, Wilmington, DE 19850-5298  
 14695102 +Comenitybk/marthonvs, P.O. Box 182789, Columbus, OH 43218-2789  
 14695103 +Comenitycap/gamestop, P.O. Box 182120, Columbus, OH 43218-2120  
 14676415 +Dsnb Macys, Po Box 8218, Mason, OH 45040-8218  
 14676416 +Dsrm Nt Bk, Pob 631, Amarillo, TX 79105-0631  
 14676418 +I C System Inc, Po Box 64378, Saint Paul, MN 55164-0378  
 14676419 +KML Law Group, P.C., 5000 Mellon Independence Center, 701 Market Street,  
 Philadelphia, PA 19106-1538  
 14695105 +Linda Garritano, 107 W. 8th St., Tarentum, PA 15084-1409  
 14704319 +PHEAA, PO Box 8147, Harrisburg, PA 17105-8147  
 14676426 +Toyota Motor Credit Co, 240 Gibraltar Rd Ste 260, Horsham, PA 19044-2387  
 14704429 +Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14695104 +E-mail/PDF: creditonebknottifications@resurgent.com Nov 01 2017 01:23:32 Credit One Bank,  
 P.O. Box 98872, Las Vegas, NV 89193-8872  
 14681413 E-mail/Text: mrdiscen@discover.com Nov 01 2017 01:22:03 Discover Bank,  
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025  
 14676414 +E-mail/Text: mrdiscen@discover.com Nov 01 2017 01:22:03 Discover Fin Svcs Llc,  
 Po Box 15316, Wilmington, DE 19850-5316  
 14676417 E-mail/Text: aladd@franklinamerican.com Nov 01 2017 01:22:41 Franklin American Mtg/,  
 501 Corporate Centre Drive, Franklin, TN 37067  
 14676420 +E-mail/PDF: resurgentbknottifications@resurgent.com Nov 01 2017 01:23:33 Lvnv Funding Llc,  
 Po Box 10497, Greenville, SC 29603-0497  
 14692185 +E-mail/Text: bankruptcydpt@mcmsg.com Nov 01 2017 01:22:22 MIDLAND FUNDING LLC,  
 PO BOX 2011, WARREN, MI 48090-2011  
 14676421 +E-mail/Text: bkr@cardworks.com Nov 01 2017 01:21:57 Merrick Bank Corp, Po Box 9201,  
 Old Bethpage, NY 11804-9001  
 14705345 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Nov 01 2017 01:23:34  
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541  
 14677099 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Nov 01 2017 01:23:51  
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 14695106 +E-mail/PDF: gecsedirecoverycorp.com Nov 01 2017 01:16:38 Synch/Gap, P.O. Box 965005,  
 Orlando, FL 32896-5005  
 14676422 +E-mail/PDF: gecsedirecoverycorp.com Nov 01 2017 01:16:38 Synch/dks, Po Box 965005,  
 Orlando, FL 32896-5005  
 14676423 +E-mail/PDF: gecsedirecoverycorp.com Nov 01 2017 01:17:06 Synch/jcp, Po Box 965007,  
 Orlando, FL 32896-5007  
 14676424 +E-mail/PDF: gecsedirecoverycorp.com Nov 01 2017 01:16:51 Synch/lowes, Po Box 965005,  
 Orlando, FL 32896-5005  
 14676425 +E-mail/PDF: gecsedirecoverycorp.com Nov 01 2017 01:16:38 Synch/walmart Dc, Po Box 965024,  
 Orlando, FL 32896-5024  
 14695107 +E-mail/PDF: gecsedirecoverycorp.com Nov 01 2017 01:16:51 Synchrony Bank/bp,  
 P.O. Box 965024, Orlando, FL 32896-5024

TOTAL: 15

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Franklin American Mortgage Company  
 cr PENNYMAC LOAN SERVICES, LLC  
 cr\* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 14714977\* ++PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067  
 (address filed with court: Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541)  
 TOTALS: 2, \* 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0315-2

User: jhel  
Form ID: 149

Page 2 of 2  
Total Noticed: 32

Date Rcvd: Oct 31, 2017

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 02, 2017

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 31, 2017 at the address(es) listed below:

Glenn R. Bartifay on behalf of Debtor Natalie Garritano gbartifay@bartifaylaw.com,  
sfallat@bartifaylaw.com;jterek@bartifaylaw.com;nalejandro@bartifaylaw.com;gbartifay@yahoo.com  
Glenn R. Bartifay on behalf of Plaintiff Natalie Garritano gbartifay@bartifaylaw.com,  
sfallat@bartifaylaw.com;jterek@bartifaylaw.com;nalejandro@bartifaylaw.com;gbartifay@yahoo.com  
James Warmbrodt on behalf of Creditor Franklin American Mortgage Company  
bkgroup@kmlawgroup.com  
Joseph A. Dessoye on behalf of Creditor PENNYMAC LOAN SERVICES, LLC pawb@fedphe.com  
Office of the United States Trustee ustpreregion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com

TOTAL: 6